IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Writ Petition No. 1473 (S/S) of 2004

Bhagwati Prasad Joshi,
S/o Sri Mahanand Joshi,
R/o Village – Sarna, Post Office – Vishalkhal,
Tehsil – Pokhari, District – Chamoli.
.....Petitioner

Versus

1. State of Uttaranchal through Secretary Animal Husbandry Department, Uttaranchal, Dehradun.
2. Director, Animal Husbandry Department, Garhwal Mandal, Puari.
3. Chief Veterinary Officer, Chamoli, Gopeshwar.

...Opposite Parties.

Sri R.P. Nautiya, learned counsel for the petitioner.
Learned Standing Counsel for State.

Hon'ble M.M. Ghildiyal, J

Heard Sri R.P. Nautiyal, learned counsel for the petitioner and learned Standing Counsel, who has accepted notices on behalf of respondents.

Learned counsel for both the parties are agreed that the writ petition may be decided at its admission stage itself.

By means of this petition, the petitioner has prayed to issue a writ in the nature of Mandamus commanding the respondents to give the appointment to him on any Class IV post in the Department.

The contention of the petitioner is that petitioner was appointed on daily wage basis by the Chief Veterinary Officer, Chamoli on 11.12.1992 and he worked continuously upto May 2001 till the department close the Bull Centre, Simkholi, District – Chamoli.

Learned counsel for the petitioner has submitted that petitioner has made several representations to the respondent Authorities and requested them that he may be given appointment in the department in Garhwal Region where posts are vacant.

Petitioner is not in service since May 2001 this court today cannot pass order to the respondents to give appointment to the petitioner, however, in future whenever the department chooses to fill up the vacancy the candidature of the petitioner shall be considered keeping in view the fact that he has already worked with the department for more than nine years.

With this observation the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

December 16, 2004
S.K.Sharma